

REMARKS

A certified copy of the priority document with a claim to priority is attached to this Amendment.

A new drawing is attached which does not bear the legend "ore".

Claims 16-24 were rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements.

Reconsideration is requested in view of this Amendment.

The claims have been amended to include a recitation of the presence of a volume excipient and a glidant in accordance with the specification at page 8, lines 5-6. The claims have not been amended to include a recitation of the granulation steps or the application of the melatonin solution under pressure as those processing conditions are concerned with the best mode for the practice of the invention and are not related to a definition which points out the inventive tablet in precise terms that distinguish the claimed subject matter from the prior art. The preamble of the claims has been revised to delete a reference to a nutritional food supplement tablet in favor of the recitation of a melatonin tablet.

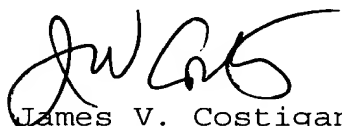
The amended claims include a recitation of the release characteristics of the formulation of the invention in gastric/intestinal juices as set forth in the specification at pages 9-11. The Appeal Brief contained arguments relating to specific claims and those arguments were not intended to limit the scope of claims that were not embraced by the arguments. The terms "fast" and "slow" have now been modified by reference to the release characteristics according to an in

vitro release test as used forth in the specification.

For these reasons, it is requested that the rejection of record be withdrawn and all claims allowed.

An early and favorable action is earnestly solicited.

Respectfully submitted,


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